

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Gram Panchayats – Kurnool District –De-notification of the Gram Panchayats of (1) Mamidalapadu, (2) Munagalapadu and (3) Stantanpuram in Kurnool District - Notification – Issued.

PANCHAYAT RAJ AND RURAL DEVELOPMENT (PTS.IV) DEPARTMENT

G.O.Ms.No.26

Dated:12 -02-2014
Read the following:-

1. G.O.Ms.No.391, PR&RD (Pts.IV) Dept., dt.30-08-2013.
2. Hon'ble High Court order Dt:10.10.2013.
3. Show Cause Notice No.24182/Pts.IV/A1/2013, Dt.16.11.2013.
4. From the District Collector, Kurnool Lr.Roc.No.892/Pts.A1/2013, dt.18.12.13.

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ORDER:

In the Government Order 1st read above, orders were issued de-notifying (3) Gram Panchayats namely Mamidalapadu, Munagalapadu and Stantanpuram. Aggrieved by the above orders, some of the villagers of respective Gram Panchayats have filed Writ Petitions in Hon'ble High Court.

2) In the High Court order 2nd read above, while disposing the WPs the Hon'ble High Court in its W.P.No.28666 of 2013 order Dt:10.10.2013 held that;

“ Prima facie the District Collector has no power to issue any such notice to the Gram Panchayat as Rule 12(2) of G.O.Ms.No.542 Dt:03.12.2007 confers such a power only on the Government. It is not even the case of the respondents that the powers, under Rule 12(2) of the Rules, was delegated to the District Collector by the Government under Section 260 of the Act.

There shall be interim suspension as prayed for. It is made clear that this order shall not preclude the State Government from issuing a notice again to the Gram Panchayat and, thereafter, take action in action in accordance with law.”

3) In pursuance of the above orders of Hon'ble High Court, the Government have after examination of the issue, a show cause notice in the memo 3rd read above was issued to the three Gram Panchayats namely Mamidalapadu, Munagalapadu and Stantanpuram asking them as to why the Gram panchayats concerned should not be included into Kurnool Municipal Corporation and submit their representations within (10) days to Government for further examination.

4) In the letter 4th read above, the District Collector has stated that the show-cause notice issued by the Government was served to all three Gram Panchayats and the Special Officer conducted Gram Sabhas in three Gram Panchayats separately in peaceful manner without any disturbance. Before passing the resolution, explained about the merging of Gram Panchayat in to Kurnool Municipal Corporation and read out the contents of the Agenda in Grama Sabha to take public opinion. While conducting the Grama Sabha, some of the villagers have opposed the proposed merger into Kurnool Municipal Corporation.

5) The District Collector, while forwarding the proposal has stated that the three Gram Panchayts are covered under Master Plan of Kurnool Municipal Corporation Kurnool, and developed with Summer storage tanks, apartments, Commercial Complexes and other infrastructure and recommended for merger of

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three Gram Panchayats for comprehensive development of these areas. The Commissioner and Director of Municipal Administration in his earlier proposal stated that the Municipal Commissioner, Kurnool accepted the proposal for inclusion of three Gram Panchayats namely Mamidalapadu, Munagalapadu and Stantanpuram so as to enable the corporation to provide better civic amenities, to develop proper infrastructure such as roads, drains, drinking water, and sanitation and to ensure better planning and focused development.

6) Government, after careful examination of the proposal and also objections raised by the villagers of Gram Panchayats concerned, have decided to cancel the Notification issued, declaring the (1) Mamidalapadu, (2) Munagalapadu , and (3) Stantanpuram as Gram Panchayats in Kurnool District so as to include the Gram Panchayats into Kurnool Municipal corporation in super session of the earlier orders issued in Government Order 1st read above.

7) Accordingly, the following Notification will be published in an Extraordinary Issue of the Andhra Pradesh Gazette dated:13.02.2014.

8) The Commissioner of Printing, Stationary & Stores Purchase, Hyderabad will publish the following Notification in the Andhra Pradesh Gazette and furnish (30) copies of the same to the Government immediately.

NOTIFICATION

In exercise of the powers conferred by clause (f) of sub-section (2) of Section 3 of the Andhra Pradesh Panchayat Raj Act, 1994 (Andhra Pradesh Act No.13 of 1994) read with clause (i) of sub-rule (1) of rule 12 of the Andhra Pradesh Gram Panchayat (Declaration of Villages) Rules,2007 issued in the G.O.Ms.No.542, Panchayat Raj and Rural Development (Pts.IV) Dept., dt.3.12.2007 and in suppression of the notification issued in G.O.Ms.No.391 PR&RD(Pts.IV) Dept., Dt:30.08.2012,, the Government of Andhra Pradesh hereby cancel the Notification issued declaring the three (3) Gram Panchayats i.e. (1) Mamidalapadu, (2) Munagalapadu , and (3) Stantanpuram as Gram Panchayats in Kurnool District so as to include the Gram Panchayats into Kurnool Municipal Corporation.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

V. NAGI REDDY
PRINCIPAL SECRETARY TO GOVERNMENT

To,
The Commissioner, Printing, Stationary & Stores Purchase, Hyderabad.
The Commissioner, Panchayat Raj and Rural Employment, A.P., Hyderabad.
The District Collector, Kurnool.

Copy to:-

The District Panchayat Officer, Kurnool.
The P.S. to Spl.Secy. to C.M.
The P.S. to Minister (PR&RWS).
The MA&UD (Elec.1) Department
The Law (A) Department.
The Secretary, State Election Commission, Hyderabad
The PR&RD(Genl/Mdl.II, Ele&Rules) Dept.
SC/SF.

// FORWARDED:: BY ORDER //

SECTION OFFICER